

SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 338

AN ACT

To amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Chapter 392, RSMo, is amended by adding thereto
2 one new section, to be known as section 392.461, to read as
3 follows:

4 392.461. A telecommunications company may, upon written
5 notice to the commission, elect to be exempt from certain retail
6 rules relating to:

7 (1) The provision of telecommunications service to retail
8 customers and established by the commission which include
9 provisions already mandated by the Federal Communications
10 Commission, including but not limited to federal rules regarding
11 customer proprietary network information, verification of orders
12 for changing telecommunications service providers (slamming),
13 submission or inclusion of charges on customer bills (cramming);
14 or

15 (2) The installation, provisioning, or termination of
16 retail service.

1 Notwithstanding any other provision of this section, a
2 telecommunications company shall not be exempt from any
3 commission rule established under authority delegated to the
4 state commission pursuant to federal statute, rule or order,
5 including but not limited to universal service funds, number
6 pooling and conservation efforts, or any authority delegated to
7 the state commission to facilitate or enforce any interconnection
8 obligation or other intercarrier issue, including but not limited
9 to, intercarrier compensation, network configuration or other
10 such matters. Notwithstanding other provisions of this chapter
11 or chapter 386, a telecommunications company may, upon written
12 notice to the commission, elect to be exempt from any requirement
13 to file or maintain with the commission any tariff or schedule of
14 rates, rentals, charges, privileges, facilities, rules,
15 regulations, or forms of contract for telecommunications services
16 offered or provided to residential or business retail end user
17 customers and instead, shall publish generally available retail
18 prices for those services available to the public by posting such
19 prices on a publicly accessible website. Nothing in this section
20 shall affect the rights and obligations of any entity, including
21 the commission, established pursuant to federal law, including 47
22 U.S.C. Sections 251 and 252, any state law, rule, regulation, or
23 order related to wholesale rights and obligations, or any tariff
24 or schedule that is filed with and maintained by the commission.